



Chairman: David Vaught

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

June 10, 2013

Bill Grunloh
Chief Procurement Officer
Illinois Department of Transportation
Executive Ethics Commission
2300 S. Dirksen Pkwy
Room 200
Springfield, Illinois 62764

Re: 50-35 Potential Conflict of Interest, PTB #161, Item 6

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received June 7, 2013 and understand the facts to be as follows:

- 1) The Illinois Department of Transportation has issued a request for a review and comment on potential conflicts of interest disclosed by Millennia Professional Services.
- 2) The contract pertains to construction related services in DuPage County.
- 3) Millennia Professional Services was selected using prime contracted with subcontractor/qualifications based selection.
- 4) The disclosure form submitted on behalf of the Millennia Professional Services indicates the following:
 - a. Stephan Dietz, project manager with Millennia has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. For the last seven months of his employment, before his resignation on March 2, 2012, Mr. Dietz was a Civil Engineer V; Acting Maintenance Field Engineer. Mr. Dietz did not participate in the evaluation or rating of construction contracts and he did receive a revolving door waiver from the Illinois Office of the Executive Inspector General.
- 5) The Illinois Department of Transportation confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Illinois Department of Transportation and CPO Bill Grunloh indicate that it would be in the best interest of the State to approve this conflict of interest due to the using agency's needs and the value of the contract.

Based on the foregoing, you are requesting my review and comment pursuant to the Illinois Procurement Code.

Review and Comment

After careful review of the documentation provided, I do not view the relationships disclosed above as creating a conflict of interest sufficient to preclude the Illinois Department of Transportation from entering into a contract with Millennia Professional Services for the services outlined in your letter received June 7, 2013.

Sincerely,

Aaron Carter
Executive Director

Cc: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

June 7, 2013

Procurement Policy Board
222 South College Street, Suite 231
Springfield, IL 62704

RE: Conflict of Interest Disclosure – Millennia Professional Services of Illinois, Ltd., Sub-Consultant for Professional Transportation Bulletin 161, Item 6, with B.L.A. Inc. d/b/a Bollinger, Lach and Associates being the Prime Consultant

Dear Mr. Carter:

Attached is the potential conflict of interest form for Millennia Professional Services of Illinois, Ltd. (Millennia), a sub-consultant for B.L.A., Inc. (BLA), the prime consultant selected by the Department's Consultant Selection Committee for Professional Transportation Bulletin 161, Item 6.

PTB 161-006 consists of consultant services in DuPage County, and includes: Phase II engineering services required for the preparation of contract plans, specifications and estimates including structure plans and roadway plans for the improvement of IL 53 and IL 56 intersection. Work is anticipated to consist of roadway reconstruction to provide three through lanes in each direction with a barrier median along IL 56 and two through lanes in each direction separated by a barrier median for IL 53. Dual left turn lanes, an exclusive right turn lanes on all four approaches and a closed drainage system are also expected. Existing traffic signals at the intersection of IL 53 and IL 56 will be removed and replaced. Temporary traffic signals and an interconnect will be required. The existing structure on IL 56 over the East Branch of the DuPage will be modified to accommodate the proposed six lane roadway and a new pedestrian bridge is proposed immediately north of the IL 56 bridge. A new bike path and sidewalks will be provided to accommodate pedestrians and non-motorized movements along IL 56 and IL 53. Noise and retaining walls are also proposed.


BLA was selected via Qualifications Based Selection. Millennia was selected via Prime Consultant-Sub Consultant agreement. The Consultant work will include preparation of contract plans, specifications, and cost estimates. The Consultant will prepare structure plans, geotechnical borings, investigation and analyses, supplemental surveys, and other related work to complete Phase II contract plans.

Stephan Dietz, Project Manager with Millennia, has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. For the last seven months of his employment, before his resignation on March 2, 2012, Mr. Dietz was a Civil Engineer V; Acting Maintenance Field Engineer. As part of his duties, Mr. Dietz oversaw three maintenance yards where the Department's Highway Maintainers work. Before that, Mr. Dietz was a Civil Engineer IV; Senior Resident Engineer (RE). Being a senior RE, Mr. Dietz was out in the field while construction projects were underway. However, Mr. Dietz did not participate in the evaluation or rating of construction contractors. He also had no participatory role in the IDOT letting process while employed by the Department.

This conflict has been reviewed our office, and it has been determined this is not an actual conflict and will not interfere in the execution of this contract.

If you have any questions concerning this request, please contact Susan Dodd, Consultant, Bureau of Design and Environment, at 217-782-1792.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gretchen Tucka', with a long horizontal flourish extending to the right.

Gretchen Tucka,
State Purchasing Officer

Enclosures

STATE OF ILLINOIS
PROCUREMENT POLICY BOARD
CONFLICT OF INTEREST REVIEW
CHECKLIST

Please ensure that the following documents are included with your request:

- ☒ Cover letter with overview of the potential Conflict of Interest
- ☒ Conflict of Interest Review Request Form
- ☒ Copy of Proposed Contract*
- ☒ Any Prequalification Information Submitted by the Vendor
- ☒ Prior Procurement Policy Board/Office of the Governor Conflict of Interest Review Letter for this Vendor
- ☒ Copy of the Disclosure/Certification Documents Submitted by the Vendor

*may be the proposed contract sent in with a RFP response, a copy of the solicitation response, etc.

Please scan original documents** with signatures and email to:

aaron.carter@illinois.gov

cc: deanna.rossetto@illinois.gov

If you are unable to scan and email the original signed documents, please send to:

Procurement Policy Board
222 South College Street, Suite 231
Springfield, IL 62704

**If you scan and email the original documents, please do not send the original documents to our office. Please keep the documents in your procurement file.

CONFLICT OF INTEREST REVIEW REQUEST FORM

The following information must be filled in as accurately and completely as possible. This form will be sent to the Procurement Policy Board providing essential information needed to review and determine if an actual conflict of interest exists, which is sufficient to preclude the State from entering into the attached proposed contract pursuant to section 50-35(d) of the Illinois Procurement Code.

CONTRACTING AGENCY INFORMATION

Using Agency: Department of Transportation
Address: 2300 S. Dirksen Parkway City/State: Springfield, IL
Contact Person: Susan Dodd Title: Consultant Unit
Phone: 217-782-1792 Fax: 217-524-9327
Email: susan.dodd@illinois.gov

VENDOR INFORMATION FOR VENDOR WITH POTENTIAL CONFLICT

This Vendor is: ☐ Prime Vendor ☒ Sub-contractor
Name of Vendor: Millenia Professional Services of Illinois, Ltd.
Address: 850 North Main City/State: Morton, IL
Contact Person: Paul Moreno Title: Owner
Phone: 309-821-8141 Fax: 309-321-8142
Email: pmoreno@mps-il.com

Procurement Bulletin Reference Number: PTB 161-006 Date Posted to Bulletin:

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Phase II engineering services required for the preparation of contract plans, specifications and estimates including structure plans and roadway plans for the improvement of IL 53 and IL 56 intersection. Work is anticipated to consist of roadway reconstruction to provide three through lanes in each direction with a barrier median along IL 56 and two through lanes in each direction separated by a barrier median for IL 53. Dual left turn lanes, an exclusive right turn lanes on all four approaches and a closed drainage system are also expected. Existing traffic signals at the intersection of IL 53 and IL 56 will be removed and replaced. Temporary traffic signals and an interconnect will be required. The existing structure on IL 56 over the East Branch of the DuPage will be modified to accommodate the proposed six lane roadway and a new pedestrian bridge is proposed immediately north of the IL 56 bridge. A new bike path and sidewalks will be provided to accommodate pedestrians and non-motorized movements along IL 56 and IL 53. Noise and retaining walls are also proposed.

The Consultant work will include preparation of contract plans, specifications, and cost estimates. The Consultant will prepare structure plans, geotechnical borings, investigation and analyses, supplemental surveys, and other related work to complete Phase II contract plans.

Total Contract Amount (Estimate if actual is unknown): \$ Total Agreement Amount: \$671,226. Agreement with Millennia: \$ 177, 416.

Contract Begin Date: upon authorization to proceed is received. Contract End Date: N/A

Describe any Renewal Options (i.e. One 2-year Option): No

PROCUREMENT PROCESS

What was the method of procurement used to select this vendor? Consultant-Sub Consultant Agreement

If this vendor was selected using a competitive process, how many vendors responded to the bid? N/A

Were any vendors disqualified? N/A

If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? N/A

Were there any instances of low vendor rejections? N/A

If yes, please explain why.

EXPLANATION OF POTENTIAL CONFLICTS OF INTEREST

For each individual identified as causing a potential conflict of interest, include the following information: name, relationship (if applicable), Agency of State employment, start date, job title and responsibilities. Indicate if any of the named individuals earn more than \$106,447.20 and explain the potential conflict of interest.

Stephan Dietz, Project Manager with Millennia, has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. For the last seven months of his employment before his resignation on March 2, 2012, Mr. Dietz was a Civil Engineer V; his title was Acting Maintenance Field Engineer. As part of his duties, Mr. Dietz oversaw three maintenance yards where the Department's Highway Maintainers work. Before that, Mr. Dietz was a Civil Engineer IV; his title was Senior Resident Engineer (RE). Being a senior RE, Mr. Dietz was out in the field while construction projects were underway. However, Mr. Dietz did not participate in the evaluation or rating of construction contractors. He also had no participatory role in the IDOT Letting process while employed by the Department.

If a prime vendor, did they disclose their use of lobbyists? ☐ Yes ☐ No

If yes, did the lobbyists lobby on behalf of the vendor to secure this contract? ☐ Yes ☐ No

PROVIDE A WRITTEN STATEMENT SIGNED BY THE AGENCY REPRESENTATIVE FOR YOUR AGENCY STATING:

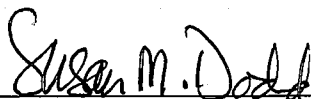
1. Is the conflict an actual conflict and whether or not any of the above named individual(s) were in a position to influence the State's award of this contract.

This conflict has been reviewed by Mr. Tim Morris of the Office of Chief Counsel, and it has been determined that this is a potential conflict. For Calendar Year 2011, Mr. Dietz earned a salary from the Department in excess of 60% of the Governor's salary; for Calendar Year 2012 he did not for obvious reasons. Stephan Dietz will not interfere in the execution of this agreement by Millennia with prime consultant BLA.

2. Why is it in the best interest of the State to proceed with this contract.

This is for re-design of a state right of way. This is essential for safe passage of the motoring public. Mr. Dietz had no power/control/authority over the prime consultant for his firm to secure this sub consultant agreement while he was employed by the Department.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE



Agency/University Representative Signature

Susan Dodd

Agency/University Representative Printed Name

6/7/2013

Date

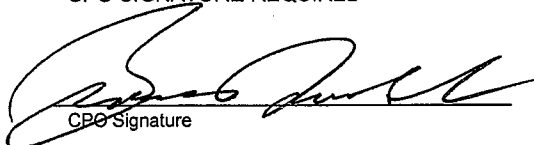
217.782.1792

Agency/University Representative Telephone

susan.dodd@illinois.gov

Agency/University Representative Email Address

CPO SIGNATURE REQUIRED



CPO Signature

Bill Grunloh

CPO Printed Name

6/7/2013

Date

217.558.5434

CPO Telephone Number

bill.grunloh@illinois.gov

CPO Email Address

